

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-NINTH LEGISLATURE

**EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 25, 2007**

Senate Chamber

President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Coiner and Gannon, absent on legislative business and formally excused by the Chair; and Senators Burkett, Keough, Stegner, Stennett, and Werk, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Matthew Braden, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 24, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Burkett, Keough, and Werk were recorded present at this order of business.

SJM 102

BY EDUCATION COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE, TO THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR, TO THE SECRETARY OF THE FEDERAL DEPARTMENT OF EDUCATION, TO THE CHIEF OF THE

UNITED STATES FOREST SERVICE, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, bipartisan legislation sponsored by U.S. Senators Larry Craig and Ron Wyden has financially assisted counties with large tracts of federal timberland within the county boundaries; and

WHEREAS, the Craig-Wyden bill set annual payments to counties with large tracts of federal timberland, providing crucial funding for schools and roads and providing millions of dollars for a variety of natural resource conservation projects from weed control to bridge replacements, from thinning forests to trail building; and

WHEREAS, the Craig-Wyden bill's reauthorization is necessary to help rural counties with timberlands plan and maintain their transportation infrastructure; and

WHEREAS, certain counties of Idaho are hamstrung in their ability to collect property taxes by a supermajority of federal land ownership within their boundaries; and

WHEREAS, if the Craig-Wyden bill is not reauthorized, it will have little effect on the federal budget but could devastate timber counties and towns in the Northwest and Idaho; and

WHEREAS, more than fifty percent of the Idaho Panhandle is owned by the federal government and counties cannot collect property tax on federal lands to support schools and to build and maintain roads; and

WHEREAS, it is crucial in tight economic times that the U.S. government meet its obligation to the counties;

WHEREAS, in some counties the reauthorization of the Craig-Wyden bill means the difference between \$22,000 and \$1,080,000 in support for schools and roads; and

WHEREAS, in other counties, failure to reauthorize the Craig-Wyden bill means the per capita loss of \$235 in support.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we support reauthorization of the "Secure Rural Schools and Community Self-Determination Act" or the Craig-Wyden bill by the Congress of the United States and we request the President of the United States to support this effort.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, George W. Bush, the Secretary of the Department of Agriculture, the Secretary of the Department of the Interior, the Secretary of the federal Department of Education, the Chief of the United States Forest Service, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

SJM 102 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Stegner and Stennett were recorded present at this order of business.

January 24, 2007

The JUDICIARY AND RULES Committee reports out **S 1012**, **S 1016**, **S 1013**, **S 1018**, and **S 1019** with the recommendation that they do pass.

DARRINGTON, Chairman

S 1012, **S 1016**, **S 1013**, **S 1018**, and **S 1019** were filed for second reading.

January 24, 2007

The JUDICIARY AND RULES Committee reports out **S 1017** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1017** was referred to the Fourteenth Order of Business, General Calendar.

January 24, 2007

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Ernest J. Lombard to the Idaho Park and Recreation Board, term to expire July 1, 2012.

SCHROEDER, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 24, 2007

Mr. President:

I transmit herewith **H 29** and **H 22**, which have passed the House.

JUKER, Chief Clerk

H 29 and **H 22** were filed for first reading..

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Roger Madsen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Broadsword, seconded by Senator Bilyeu, the Gubernatorial appointment of Roger Madsen as Director of the Department of Commerce and Labor was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced the State Affairs Committee report relative to the Gubernatorial appointment of Lydia Justice Edwards was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Little, seconded by Senator Stennett, the Gubernatorial appointment of Lydia Justice Edwards as a member of the Idaho State Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1046

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-201, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHOOL AGE FOR PURPOSES OF ENROLLMENT IN FIRST GRADE AND TO MAKE A TECHNICAL CORRECTION.

S 1047

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE TRAUMA REGISTRY; REPEALING SECTION 5, CHAPTER 329, LAWS OF 2002, TO REMOVE A SUNSET CLAUSE PROVISION.

S 1048

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE IDAHO HOSPITAL CONTRIBUTION ACT; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 14, TITLE 56, IDAHO CODE, TO PROVIDE A SHORT TITLE AND TO SET FORTH LEGISLATIVE INTENT, TO DEFINE TERMS, TO ESTABLISH THE HOSPITAL CONTRIBUTION FUND, TO PROVIDE FOR CONTRIBUTIONS, TO PROVIDE FOR A REVIEW OF THE ANNUAL CONTRIBUTION AMOUNT, TO PROVIDE FOR INPATIENT AND OUTPATIENT ADJUSTMENT PAYMENTS, TO PROVIDE FOR TIMING OF PAYMENTS AND CONTRIBUTIONS, TO PROVIDE AN EXEMPTION, TO PROVIDE FOR MULTI-HOSPITAL LOCATIONS, HOSPITAL CLOSURES AND NEW HOSPITALS AND TO PROVIDE APPLICABILITY; AND PROVIDING A SUNSET DATE.

S 1046, S 1047, and S 1048, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 29, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

H 22, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1021, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Friday, January 26, 2007.

JAMES E. RISCH, President

Attest: RUSTI HORTON, Assistant Secretary